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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,656	02/20/2004	Yoon-tak Yang	1793.1187	3475
21171 7590 04/18/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER KLIMOWICZ, WILLIAM JOSEPH	
			ART UNIT 2627	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/18/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/781,656

Applicant(s)

YANG ET AL.

Examiner

William J. Klimowicz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8,9 and 11-23 is/are pending in the application.
- 4a) Of the above claim(s) 14-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,8,9 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Status

Applicant has voluntarily canceled claims 2, 7 and 10.

Claims 1, 3-6, 8, 9, 11-23 are currently pending.

Claims 14-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on September 27, 2006.

Objection to Abstract

The abstract of the disclosure is objected to because its length exceeds 150 words. See MPEP 608.01(b), which cites 37 CFR 1.72 (b), and states:

A brief abstract of the technical disclosure in the specification must commence on a separate sheet, preferably following the claims, under the heading "Abstract " or "Abstract of the Disclosure." The ***abstract*** in an application filed under 35 U.S.C. 111 ***may not exceed 150 words in length***. The purpose of the abstract is to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure. The abstract will not be used for interpreting the scope of the claims.

Emphasis in bold italics added. Thus, the abstract must be amended so as to not exceed the 150 word limit. Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, 6, 8, 9 and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Song et al. (US 2004/0268373 A1)

The applied reference has at least one common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Song et al. (US 2004/0268373 A1) discloses an optical pickup actuator (e.g., see FIG. 2) for use with an objective lens (10) on a base (11), comprising: a bobbin (20) holding the objective lens (10); a suspension (13) having one end fixed on a side of the bobbin (20) and another end fixed to a holder (15) positioned on a portion of the base (11) to allow the bobbin (20) to be movable with respect to the base (11); and a magnetic circuit (see, e.g., *inter alia*, paragraph [0058]), comprising: a pair of unipolar magnets (31, 31) positioned on the base (11) to face opposing sides of the bobbin (20), a focusing coil (33) wound around the bobbin

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(20), a pair of tracking coils (35, 35) wound opposite one another and next to the objective lens (10) in a radial direction to cross over the focusing coil (33) and the bobbin (20) to interact with the unipolar magnets (31) to generate an electromagnetic force to control a tracking movement, and a plurality of tilting coils (37, 37) positioned in an upper portion of the bobbin (20) and/or in a lower portion of the bobbin (20) and which interact with the unipolar magnets (31) to generate an electromagnetic force to control a tilting movement when a central axis of the objective lens (10) is disposed in an upward direction and a downward direction, the upward direction closer to an optical recording medium (D); and a pair of reels (38, 38) formed on the bobbin (20) to directly wind the tracking coils (35) and/or the tilting coils (37), and the tracking coils and/or the tilting coils (37, 37) are directly wound around the reels on the bobbin (20).

As per claim 5, further comprising a mount (25) spaced apart from the pair of reels (38, 38) formed on the bobbin (20) to hold the objective lens (10) so as to reduce an effect of heat on the objective lens (10).

As per claims 6 and 9, wherein the tracking coils (35) and the focusing coil (33) are installed on the bobbin (20) so that effective coil portions of the tracking coils (35) are positioned closer to the unipolar magnets (31) than effective coil portions of the focusing coil (33) - see FIG. 2.

As per claims 8 and 11, further comprising a cavity (27) formed in the bobbin (20) to reduce a transmission of heat generated from the focusing coil (33), the tracking coils (35), and/or the tilting coils (37) to the objective lens (10).

As per claim 12, wherein the magnetic circuit includes only a single pair of unipolar magnets (31) - see FIG. 2.

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As per claim 13, wherein the actuator is a two-sided, three axis driving actuator - see FIG. 2.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Allowable Subject Matter

Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

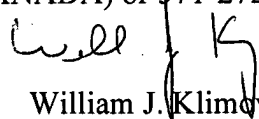
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


William J. Klimowicz
Primary Examiner
Art Unit 2627

WJK